IN THE HON'BLE M.P.STATE ADMINISTRATIVE TRIBUNAL
BENCH AT RAIPUR M.P.

O.A. No. 1040/1998 WPCS) 2699/05

B.L. Ganjir
S/o Late Shri Guharam Ganjir
age 59 yrs. Retd. Asstt. Engineer
Resident of 18/119, New Shanti Nagar
Raipur (M.P.)

APPLICANT

VERSUS

1. GOVERNMENT OF MADHYA PRADESH,
through the Secretary
(Irrigation Department)
Water Resources Department
Vallabh Bhavan, Bhopal

2. Engineer-in-Chief
Water Resources Department
Bhopal

3. Chief Engineer,
Electrical & Machanical
Water Resources Department
M.P. Nagar, Zone-1,
Bhopal

4. Superintneding Engieer (E&M)
Water Resources Department
Raipur

5. Executive Engineer
Tube Well Construction Div. No. 6
Raipur (M.P.)

6. Shri S.P. Tripathi
Chief Engineer (E&M)
Water Resources Department
M.P. Nagar, Zone I,
Bhopal

7. Executive Engineer E&M
Heavy Earthmoving Deptt.
Byron Bazar, Raipur

NON-APPLICANTS

ORIGINAL APPLICATION UNDER SECTION 19 OF THE STATE ADMINISTRATIVE TRIBUNAL ACT, 1985

1. Particulars of the applicant:

As stated in the cause title of this application.

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HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. (s) No. 2699 of 2005

Petitioner : B.L. Ganjir

Versus

Respondents : Government of Madhya Pradesh & others

Single Bench: Hon'ble Mr. Justice **Satish K. Agnihotri.**

Shri N.K. Vyas, counsel for the Petitioner.

Shri Ajay Dwivedi, Panel lawyer for the respondents/State.

ORDER

(passed on 29th August, 2006)

The following order of the Court was passed by **Satish K. Agnihotri, J.**

1. Learned counsel appearing for the petitioner states that the impugned order dated 27.11.97 (Annexure A/1) whereby the recovery of Rs. 2,63,242=10 was directed to be made against the petitioner is pending consideration in statutory appeal before the respondents No. 1 and 3 under the provisions of Rule 23 of the Madhya Pradesh Civil Services (Classification, Control and Appeal) Rules, 1966.

2. In view of pendency of the above stated statutory appeal, this petition is not maintainable, as for the same relief, two forums i.e. statutory appeal as well as writ petition is not maintainable. Accordingly, the writ petition is dismissed. Liberty is reserved to the petitioner to file appropriate

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petition, if so advised, if his grievance survives after disposal of the appeal.

3. Learned counsel appearing for the respondents/State undertakes to ensure that the appeal pending since 20th March, 1998, be decided within a period of three months from today.

Sd/-
Satish K. Agnihotri
Judge

Bablu